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UNILEVER UNITED STATES, INC.
and PEPSI/LIPTON TEA PARTNERSHIP

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

AMY MAXWELL, individually and on behalf
of all others similarly situated,

Plaintiff.

v.

UNILEVER UNITED STATES, INC. and
PEPSI LIPTON TEA PARTNERSHIP,

Defendants

Case No. 5:12-cv-01736-EJD

CLASS ACTION

JOINT STATUS REPORT

Judge: Hon. Edward J. Davila
Action Filed: April 6, 2012

1 Amy Maxwell (“Plaintiff”) and defendants Unilever United States, Inc., the Pepsi/Lipton
2 Tea Partnership, and PepsiCo, Inc.¹ (“Defendants”) submit this Joint Status Report in response to
3 this Court’s Order of December 8, 2017 (Dkt. 122), staying the action with respect to Plaintiff’s
4 claims against Lipton tea products manufactured and distributed by the Pepsi Lipton Tea
5 Partnership pending completion of FDA proceedings regarding use of the term “natural” in food
6 labeling. The Court’s December 8, 2017 Order requested an update on the relevant proceedings
7 before the U.S. Food and Drug Administration (“FDA”).

8 Since the parties’ January 16, 2025 Joint Status Report (Dkt. 169), FDA has not yet
9 formally issued any guidance on the use of “natural.” The parties have met and conferred and
10 agree that it would be appropriate to continue the stay pending FDA’s issuance of formal
11 guidance on the use of “natural.” As per the Court’s December 8, 2017 Order, the parties will file
12 a joint status report on September 16, 2025 unless FDA issues formal guidance before that date.

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27 ¹ This Court dismissed the claims against Defendant PepsiCo, Inc.’s carbonated soft drinks on
March 29, 2018. (Dkt. 133.) On July 30, 2018, the Court denied Plaintiff’s motion for entry of
28 final judgment on the Pepsi carbonated soft drink claims while confirming that dismissal of those
claims had been made with prejudice. (Dkt. 142.)

1 Dated: May 16, 2025

BEN F. PIERCE GORE
PRATT & ASSOCIATES

3 By: /s/ Ben F. Pierce Gore (with permission)
4 Ben F. Pierce Gore

5 Attorneys for Plaintiff
6 AMY MAXWELL

7

8 Dated: May 16, 2025

9 CLAUDIA M. VETESI
10 MORRISON & FOERSTER LLP

11 By: /s/ Claudia M. Vетеси
12 Claudia M. Vетеси

13 Attorneys for Defendants
14 UNILEVER UNITED STATES, INC.
15 and PEPSI/LIPTON TEA
16 PARTNERSHIP

17 Dated: May 16, 2025

18 DANIEL W. NELSON
19 TIMOTHY W. LOOSE
20 GIBSON, DUNN & CRUTCHER LLP

21 By: /s/ Timothy W. Loose (with permission)
22 Timothy W. Loose

23 Attorneys for Defendant
24 PEPSICO, INC.

ECF ATTESTATION

I, Claudia M. Vetesi, am the ECF User whose ID and password are being used to file this document. In compliance with Civil Local Rule 5-1(h)(3), concurrence in the filing of this document has been obtained from each of the other signatories.

Dated: May 16, 2025

/s/ *Claudia M. Vетesi*
CLAUDIA M. VETESI